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EXAMINER

PATEL, HARESH N

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/556,068

Applicant(s)

ALLAVARPU ET AL.

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/26/04 9/29/03 4/21/04 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-63 are subject to examination.

#### *Response to Arguments*

Regarding Mr. Robert Kowert's statements, "The subject matter of claims 61-63 was suggested by the Examiner himself in facsimile transmissions sent to Applicants' attorney on May 25, 2004 and January 20, 2005, and in the Office Action of February 10, 2005. These claims were suggested by the Examiner himself and have been repeatedly examined by the Examiner".

For clarification, the examiner do not prefer to make arguments part of the prosecution of this case that does not help the applicant to expedite the prosecution of the case and which is not necessary in the prosecution of the case. However, Mr. Robert Kowert keeps bringing in the examiner's **informal** suggestions / guidance into the prosecution of this case and the examiner has **no choice** but to respond to Mr. Robert Kowert's statements that are not true.

For clarification, Mr. Robert Kowert is requested to understand that the examiner has **never** suggested to him to **add new** claims 58 through 63 as presented. If fact, the examiner **informally** suggested to Mr. Robert Kowert to **add limitations** to the existing claims 1, 20 and 39 (by bringing in **new subject matter** from the specification **that was not even formally agreed upon** and that **was not part of the original** claims 1-57, which the examiner thought that it might help overcome the prior arts used **at that time**, and **which was never** rejected in this case).

Mr. Robert Kowert's misleading that the examiner has **repeatedly examined** the **new** claims 61-63, would not help the applicant to expedite the prosecution of this case. Because the

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claims 61-63 were **never examined** during the prosecution of this case and neither the claims 1-60 that have been examined of this case contain **all the claimed limitations** of the claims 61-63.

Even the restriction of the claims depends on what is claimed in different groups of the claims as per the MPEP rules and regulation. If Mr. Robert Kowert would have added suggested limitations to the claims 1-57 as indeed proposed **or** even added only one of group of claims (either claims 58-60 or claims 61-63), the previous office action would not have contained restriction requirement as per the MPEP rules and regulation. However, Mr. Robert Kowert has distinctly presented claims with different inventions in different groups of the claims. For, example, **not all** the claimed subject matter of the claims 58-60 is present in the claims of 61-63 and vice-versa. Claims 58-60 contain certain restrictable subject matter as per MPEP guidelines that is not in claims 61-63, and claims 61-63 contain certain restrictable subject matter as per MPEP guidelines that is not in claims 58-60, and both of the restrictable certain subject matter as per MPEP guidelines is not present in the claims 1-57. For **the examiner's informal suggestions** (or even though it is considered formal for argument shake as Mr. Robert Kowert insists) to add limitations **in the existing claims** under examination, **does not mean** that the examiner cannot do restriction **when new claims are presented that are restrict able as per the MPEP guidelines** that contain claimed subject matter **that was not part of the original claims** and **never examined before**.

Mr. Robert Kowert is very kindly informed that **misinterpreting** the past examiner's **informal suggestions** and guidance for self-benefit in the response to the formal office actions would/do not support overcoming the new objections and/or rejections. Regarding Mr. Robert Kowert's effort to make contents of the **informal faxes** into formal statements, the examiner

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**does not understand** how it would help the applicant to expedite the prosecution of the case.

(Note: the examiner has **each time** mentioned to Mr Robert Kowert that the suggestions and guidance **are informal** at the time the suggestions and guidance were made to Mr Robert Kowert, as **the examiner did not had signature authority** at the time when the examiner made the suggestions and guidance to Mr. Robert Kowert, and **the examiner specifically informed** Mr. Robert Kowert that he had no authority to confirm on the suggestions, and, **once the applicant agrees** on the **informal** proposals/suggestions the examiner **would then ask** his primary examiner (who has signature authority) to confirm the proposals/suggestions, and until the primary confirms on the informal proposals/suggestions, the **informal** proposals/suggestions would be considered only **informal**).

Rather, adding the combination of suggested subject matter from the specification and that was not part of the original claims and that was never examined before, Mr. Robert Kowert presented some limitations in new claims 58-60 and some limitations in new claims 61-63. Mr. Robert Kowert seems to believe that bringing in the informal suggestions in the response to the **new** rejections/objections would help overcome the rejections/objections by misusing the examiner's informal guidance and suggestions.

The examiner's guidance and suggestions at USPTO is intended **to help the applicant to expedite the prosecution of the case**, and in no way means that the examiner cannot do new / future objections or rejections when the examiner **further noticed** during further prosecution of the case or **brought into attention** by any means. The examiner at USPTO are in fact appreciated by the attorneys and applicants for helping the applicant for expediting the prosecution of the case (**regardless of whether they decide to follow the suggestion/guidance or**

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**not**) as the examiner spend his/her own additional time for the applicant, as the examiner is required to examine only what is claimed in the claimed subject matter of the claims and **not future claims** for the limitations that do not exist in the claims (as Mr Robert Kowert added claims 61-63 and believes that the **new added claims were examined earlier** even when no art has been applied or no 102 or 103 rejections or other rejections/objections are made. In fact, the examiner believes that Mr. Robert Kowert indirectly admits that the prior arts discloses the claimed limitations of the claims 1, 20 and 39, as Mr. Robert Kowert presented all the claimed limitations of the claims 1, 20 and 39 in the respective claims 58-60, **with additional** limitations that were not in claims 1-57 and making the claims 58-60 **narrower compared to the respective** claims 1, 20 and 39. If Mr. Robert Kowert was **confident** that the claimed subject matter of the claims 1, 20 and 39 are novel compared to the arts used for the rejections, then **new narrower** claims 58-60 compared to the respective claims 1, 20, 39, with additional limitations that were not in claims 1-57, **would not have been presented**). The examiner simply does not understand that how Mr. Robert's misinterpreting the examiner's suggestions and guidance to overcome new/future objections or rejections would help the applicant to expedite the prosecution of the case.

Even though the examiner specifically mentioned and very clearly informed and **requested** to Mr. Robert Kowert that the examiner's suggestions are **informal suggestions** and that must not be used in the prosecution history of this case in any way; and still Mr. Robert Kowert **has ignored the examiner's clarification** and made an effort to make the examiner's informal suggestions and guidance into formal statements in the prosecution of this case. Mr.

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Robert Kowert is **requested to not use** the examiner's informal suggestions and guidance as wildcard to overcome new rejections and/or objections.

At USPTO, **when an applicant/attorney mentions** to the examiner that a particular information should be **considered informal**, the examiner at USPTO **do not simply ignore** the applicant's/attorney's intention or concern and for self-benefit just make it part of the prosecution of the case.

Similarly, Mr Robert Kowert is requested to not make an effort to make **informal information presented by the examiner** into formal statements/information in the prosecution of the case, as it does not help the applicant to expedite the prosecution of the case.

The examiner has also consulted to Mr. John Follansbee (SPE) and Vincent Trans (SPRE) regarding these matters, who have provided **necessary guidance** on how to respond this matter.

Mr Robert Kowert is further kindly requested to understand that once the examiner makes informal suggestions **it does not mean** that the examiner **cannot correct his own informal suggestions** or consider **new (additional) prior art rejections/objections** for previously **overlooked** subject matter or **when new (additional) prior arts are available** for rejections or when existing cited prior art **still discloses** the subject matter that was previously **overlooked** and at the same time **new** rejections/objections are made (**when the office action is made non-final**).

Note: This office action (the rejections/objections made in this non-final office action) is issued on **9/30/2006** based on MPEP rules and regulations. The examiner deserves the right to correct his **mistakes of his proposals or suggestions** that were made before 9/30/2006.

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Proposals and suggestions **are not commitments**. The **MPEP rules and regulations do apply** even on the examiner's proposals and suggestions whether they are informal or formal.

2. Applicant's arguments with respect to claims 1-63 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Election/Restrictions***

Nevertheless, the examiner has removed the restriction of claims 61-63. Hence, this office action rejoins the claims and examines all the claims 1-63.

#### ***Double Patenting***

Please note that applicant's arguments regarding the double-patenting rejections are considered and are not persuasive, hence these double rejections are maintained. (Note: regarding the applicant's response that the examiner pointed out differences are not well known in the art; the examiner has **again** reviewed the cited art teachings regarding the differences (that are respectively pointed out) and since the cited references also disclose the well known limitations of the differences, the examiner maintains that the differences are well known in the art. Further, it should be noted that for double patenting rejection **all** claims must not be obvious, as a double patenting rejection is proper in an instance when a **single** claim is obvious. Note: regarding the claimed limitations that are considered similar, the claimed limitations of the claims of the application under prosecution are exactly worded and contained in the claims of the respective application/patent. The applicant is requested to point out which of the limitations in



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addition to the differences mentioned of the application under prosecution, which the applicant contrary (to the examiner position) believes are not in each of the application/patent individually.

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-60 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-39 of copending application, 09/552,984.

Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches all the limitations as disclosed such that the interpretation of usage of gateway of a network management system is similar to usage of an event gateway of a network management system. The claimed subject matter of claims 1-39 of copending application, 09/552,984 does not specifically mention about usage of an individual object level and usage of SAP. However, JIDM Interaction Translation, Initial Submission to OMG's CORBA/TMN Internetworking RFP, Edition, 4.0, February 1998, pages, i-v, 1-1 to 7-132, 9-167 to 9-169 (Hereinafter CORBA/TMN) discloses the well-known concept of using Individual object level and the well-known concept of using SAP, e.g., figures 6-2, 7-8, section 6.1.2, page 6-97. Barry et al., 6,615,258 also teaches the well-known concept of using Individual object level, e.g.,

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access to individual objects based upon the customer privilege models, col., 15, lines 31 - 62, With CORBA/TMN's teachings it would be obvious to one of ordinary skill in the art to include the concept of using Individual object level and the SAP with the claimed subject matter of claims 1-39 of copending application, 09/552,984 in order to utilize the benefit provided by them.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

4. Claims 1-60 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-44 of U.S. Patent, 6839748. Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches all the limitations as disclosed such that the interpretation of usage of gateway of a network management system is similar to usage of an event gateway of a network management system. The claimed subject matter of claims 1-44 of U.S. Patent, 6839748 does not specifically mention about usage of Individual object level. However, JIDM Interaction Translation, Initial Submission to OMG's CORBA/TMN Internetworking RFP, Edition, 4.0, February 1998, pages, i-v, 1-1 to 7-132, 9-167 to 9-169 (Hereinafter CORBA/TMN) discloses the well-known concept of using Individual object level and the well-known concept of using SAP, e.g., figures 6-2, 7-8, section 6.1.2, page 6-97. Barry et al., 6,615,258 also teaches the well-known concept of using Individual object level, e.g., access to individual objects based upon the customer privilege models, col., 15, lines 31 - 62, With CORBA/TMN's teachings it would be obvious to one of ordinary skill in the art to include the concept of using Individual object level and the SAP with

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the claimed subject matter of claims 1-44 of U.S. Patent, 6839748 in order to utilize the benefit provided by them.

5. Claims 1-60 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of U.S. Patent, 6813770. Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches all the limitations as disclosed such that the interpretation of usage of gateway of a network management system is similar to usage of an event gateway of a network management system. The claimed subject matter of claims 1-30 of U.S. Patent, 6813770 does not specifically mention about usage of Individual object level. However, JIDM Interaction Translation, Initial Submission to OMG's CORBA/TMN Internetworking RFP, Edition, 4.0, February 1998, pages, i-v, 1-1 to 7-132, 9-167 to 9-169 (Hereinafter CORBA/TMN) discloses the well-known concept of using Individual object level and the well-known concept of using SAP, e.g., figures 6-2, 7-8, section 6.1.2, page 6-97. Barry et al., 6,615,258 also teaches the well-known concept of using Individual object level, e.g., access to individual objects based upon the customer privilege models, col., 15, lines 31 - 62, With CORBA/TMN's teachings it would be obvious to one of ordinary skill in the art to include the concept of using Individual object level and the SAP with the claimed subject matter of claims 1-39 of copending application, 09/552,984 in order to utilize the benefit provided by them.

6. Claims 1-60 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-45 of copending application, 09/557,068.

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Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches all the limitations as disclosed such that the interpretation of usage of gateway of a network management system is similar to usage of an event gateway of a network management system. The claimed subject matter of claims 1-39 of copending application, 09/557,068 does not specifically mention about usage of Individual object level. However, JIDM Interaction Translation, Initial Submission to OMG's CORBA/TMN Internetworking RFP, Edition, 4.0, February 1998, pages, i-v, 1-1 to 7-132, 9-167 to 9-169 (Hereinafter CORBA/TMN) discloses the well-known concept of using Individual object level and the well-known concept of using SAP, e.g., figures 6-2, 7-8, section 6.1.2, page 6-97. Barry et al., 6,615,258 also teaches the well-known concept of using Individual object level, e.g., access to individual objects based upon the customer privilege models, col., 15, lines 31 - 62, With CORBA/TMN's teachings it would be obvious to one of ordinary skill in the art to include the concept of using Individual object level and the SAP with the claimed subject matter of claims 1-39 of copending application, 09/557,068 in order to utilize the benefit provided by them.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

7. Claims 1-60 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-45 of copending application, 09/552,985.

Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches all the limitations as disclosed such that the interpretation of usage of gateway of a network management system is similar to usage of an event gateway of a network

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management system. The claimed subject matter of claims 1-39 of copending application, 09/552,985 does not specifically mention about usage of Individual object level. However, JIDM Interaction Translation, Initial Submission to OMG's CORBA/TMN Internetworking RFP, Edition, 4.0, February 1998, pages, i-v, 1-1 to 7-132, 9-167 to 9-169 (Hereinafter CORBA/TMN) discloses the well-known concept of using Individual object level and the well-known concept of using SAP, e.g., figures 6-2, 7-8, section 6.1.2, page 6-97. Barry et al., 6,615,258 also teaches the well-known concept of using Individual object level, e.g., access to individual objects based upon the customer privilege models, col., 15, lines 31 - 62, With CORBA/TMN's teachings it would be obvious to one of ordinary skill in the art to include the concept of using Individual object level and the SAP with the claimed subject matter of claims 1-39 of copending application, 09/552, in order to utilize the benefit provided by them.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

8. Claims 1-60 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-34 of U.S. Patent, 6915324. Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches all the limitations as disclosed such that the interpretation of usage of gateway of a network management system is similar to usage of an event gateway of a network management system. The claimed subject matter of claims 1-30 of U.S. Patent, 6915324 does not specifically mention about usage of Individual object level. However, JIDM Interaction Translation, Initial Submission to OMG's CORBA/TMN Internetworking RFP, Edition, 4.0, February 1998, pages,

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i-v, 1-1 to 7-132, 9-167 to 9-169 (Hereinafter CORBA/TMN) discloses the well-known concept of using Individual object level and the well-known concept of using SAP, e.g., figures 6-2, 7-8, section 6.1.2, page 6-97. Barry et al., 6,615,258 also teaches the well-known concept of using Individual object level, e.g., access to individual objects based upon the customer privilege models, col., 15, lines 31 - 62, With CORBA/TMN's teachings it would be obvious to one of ordinary skill in the art to include the concept of using Individual object level and the SAP with the claimed subject matter of claims 1-30 of U.S. Patent, 6915324 in order to utilize the benefit provided by them.

9. Claims 1-60 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-34 of U.S. Patent, 6950935. Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches all the limitations as disclosed such that the interpretation of usage of gateway of a network management system is similar to usage of an event gateway of a network management system. The claimed subject matter of claims 1-30 of U.S. Patent, 6950935 does not specifically mention about usage of Individual object level. However, JIDM Interaction Translation, Initial Submission to OMG's CORBA/TMN Internetworking RFP, Edition, 4.0, February 1998, pages, i-v, 1-1 to 7-132, 9-167 to 9-169 (Hereinafter CORBA/TMN) discloses the well-known concept of using Individual object level and the well-known concept of using SAP, e.g., figures 6-2, 7-8, section 6.1.2, page 6-97. Barry et al., 6,615,258 also teaches the well-known concept of using Individual object level, e.g., access to individual objects based upon the customer privilege models, col., 15, lines 31 - 62, With CORBA/TMN's teachings it would be obvious to one of

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ordinary skill in the art to include the concept of using Individual object level and the SAP with the claimed subject matter of claims 1-30 of U.S. Patent, 6950935 in order to utilize the benefit provided by them.

### *Specification*

10. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The present title is not sufficient for proper classification of the claimed subject matter, as the applicant has argued that object-level access control provided at the individual object level so that one of the managers is granted access to one of the managed objects while being prevented from interfacing with a different one of the managed objects, if the manager access is approved, application uses a request Service Access Point (SAP)", is novel than the well-known prior arts.

Applicant is kindly again reminded that these new limitations were not present in the claims, when the examiner earlier proposed the title (to overcome rejections of the arts used at that time).

Regarding the applicant's concern that the title must include request Service Access Point (SAP), the examiner assures that such a requirement is not necessary. The fact is that the title does not represent what the applicant is considering novel compared to the well-known prior arts and what applicant amended to the claims to overcome the prior arts applied at that time and which was after the examiner suggested the title. (as the prior arts contained the object-level access control and **applicant further narrowed defining with further amended limitations**) Note: the examiner suggestions are only suggestions (not commitments), which the

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applicant can use to expedite the prosecution of the case and does not mean that teachings of additional (new) prior arts can be **ignored** that are available **after** the examiner **suggestions are made**. In fact, the examiner suggestions do not support overcoming the evidence supported by the prior arts. Misinterpreting the examiner suggestions and the examiner guidance in the arguments for the self-benefit do not support overcoming **the evidence supported by the prior arts**.

11. The abstract is objected. Some of the informalities are:

- a. The abstract fails to show how “object-level access control provided so that one of the managers is granted access to one of the managed objects while being prevented from interfacing with a different one of the managed objects, if the manager access is approved, application uses a request Service Access Point (SAP)”, what the applicant has argued to be novel than the well-known prior arts including cited references.

Regarding the applicant’s **assertions** that the abstract must not include request Service Access Point (SAP), as the not all independent claims does not contain request Service Access Point (SAP), **in incorrect**. The fact is that the abstract **should not be limited to a broadest independent claim only** as the applicant insisted by the applicant.

Appropriate correction is required.

### ***Drawings***

12. New corrected drawings are required in this application because Figures 1A through 15 do not show claimed invention which the applicant considers novel compared to the cited arts, “object-level access control provided at the individual object level so that one of the managers is granted access to one of the managed objects while being prevented from interfacing with a



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different one of the managed objects, if the manager access is approved, application uses a request Service Access Point (SAP)". Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings **will not be held in abeyance**. (Please note that this was presented to the applicant in the previous office action, and again the applicant is notified.)

The fact is that the drawings should contain what **the applicant concerns to be novel**. The applicant failed to point out which elements of the Figures 1A through 15 contain the applicant's novel features, i.e., "object-level access control provided at the individual object level so that one of the managers is granted access to one of the managed objects while being prevented from interfacing with a different one of the managed objects, if the manager access is approved, application uses a request Service Access Point (SAP)". The applicant is asserted that not all the features of **all the claims 1-63** should be included in the drawings, however, the specific features which the examiner has pointed out to be novel is necessary for one skilled in the art to know what the applicant's considers to be novel. Applicant assertions that the figures show a manager application, a request gateway, three managed devices and requests are not

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enough to demonstrate the novelty of the invention, as the manager application, the request gateway, the three managed devices and the requests, itself does not show differences from the prior art figures, and the prior arts also contain a manager application, a request gateway, three managed devices and requests.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

13. Claims 1, 20, 39, 57-63 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification of this application under examination in such a way as to reasonably convey to one skilled in the relevant art to use and/or make the invention.

14. The specification of this application under examination does not contain subject matter to implement limitations, “one of the managers is granted access to one of the managed objects while being prevented from **interfacing** with a different one of the managed objects”, **(and) along with (in combination with)**, “a gateway is coupled (interface/interfacing) to a plurality of managed objects” **(and) along with (in combination with)**, “one of the manager is granted access”, as cited in claims 1, 20, 39, 57-63, as the specification contains individual pieces but does not contain how the claimed invention is implemented that **already interfaced entities (and) (in combination with) along with same entities without interface(ing)**. The claims contain, “one of the managers is granted access to one of the managed objects while being

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prevented from interfacing with a different one of the managed objects”, however, each of the independent claims clearly mention, “a gateway is **coupled (interface/interfacing)** to a plurality of **managed objects**”. Each of the claims also contain, one of the manager is granted access, that the manager is **coupled (interface/interfacing)** with the gateway, as granting access or not requires the coupling (interface/interfacing) between the manager and the gateway. As per the claimed invention, the **gateway interfaces to both(all) (in combination with) the managed objects and the manager**, for the interface(interfacing) among the gateway interface the managed objects and the manager, which is the interface(ing) from the manager to gateway and the interface(ing) from the gateway to all the claimed managed objects that **already exists in the claimed invention**; and also claimed that the **interfacing** is prevented”. (Note: the dependent claims, for example claim 2, also further clarifies that the **manager** is authorized to **communicate (interface/interfacing)** with **each** of the **managed objects**, which depends from the rejected independent claims, and is contrary to preventing interfacing).

15. Claims 1, 20, 39, 57-63 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification of this application under examination in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

16. Claims 1, 20, 39, 57-63, contain, “one of the managers is granted access to one of the managed objects while being prevented from **interfacing** with a different one of the managed objects”, however, each of the independent claims clearly mention, “a gateway is **coupled**

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**(interface/interfacing)** to a plurality of **managed objects**". Each of the claims also contain, one of the manager is granted access, that the manager is **coupled (interface/interfacing)** with the gateway, as granting access or not requires the coupling (interface/interfacing) between the manager and the gateway. As per the claimed invention, the **gateway interfaces to both(all) (in combination with) the managed objects and the manager**, for the **interface(interfacing)** among the gateway interface the managed objects and the manager, which is the interface(ing) from the manager to gateway and the interface(ing) from the gateway to all the claimed managed objects that **already exists in the claimed invention**; and also claimed that the **interfacing** is prevented". (Note: the dependent claims, for example claim 2, also further clarifies that the **manager** is authorized to **communicate (interface/interfacing)** with **each** of the **managed objects**, which depends from the rejected independent claims, and is contrary to preventing interfacing).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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*Haresh Patel*

Haresh Patel

September 30, 2006